

THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

CHRISTOPHER HENEHAN and
LORI HENEHAN,

Paintiffs,


v.

PENN ANTHRACITE COLLIERS CO.,
and AMCO INSURANCE COMPANY,
d/b/a NATIONWIDE MUTUAL
INSURANCE CO.,

Defendants.

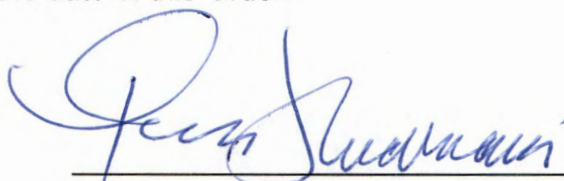
:
:
: CIVIL ACTION NO. 3:22-CV-466
: (JUDGE MARIANI)
: (Magistrate Judge Carlson)
:
:
:
:
:
:
:
:
:

ORDER

AND NOW, THIS  DAY OF JULY 2023, upon consideration of Magistrate Judge Martin C. Carlson's Report and Recommendation ("R&R") (Doc. 26) and all relevant documents for clear error or manifest injustice, **IT IS HEREBY ORDERED THAT:**

1. The R&R (Doc. 26) is **ADOPTED** for the reasons stated therein;
2. Defendant's Motion to Dismiss Counts I and III of the First Amended Complaint Pursuant to Federal Rule of Civil Procedure 12(b)(6) and 12(f) (Doc. 18) is **GRANTED;**
3. Counts I and III of Plaintiff's First Amended Civil Action Complaint (Doc. 17) are **DISMISSED WITHOUT PREJUDICE;**

4. Plaintiffs may file an amended complaint as set forth in the R&R (Doc. 26 at 18)
within fourteen (14) days of the date of this Order.

A handwritten signature in blue ink, appearing to read "Robert D. Mariani", is written over a horizontal line.

Robert D. Mariani
United States District Judge